

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christopher HESS et al.

Confirmation No. 8498

Serial No.: 10/595,384

Group Art Unit: Unknown

National Stage Commenced: April 13, 2006

Examiner: Unknown

For: **METHOD AND CONFIGURATION
FOR CONNECTING TEST STRUCTURES OR
LINE ARRAYS FOR MONITORING
INTEGRATED CIRCUIT MANUFACTURING**

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION BY JOINT INVENTOR FILING ON BEHALF OF OTHER JOINT
INVENTOR WHO CANNOT BE LOCATED (37 CFR 1.47(a))**

Dear Sir:

Joint inventors, Christopher Hess, hereby sign and petition to make this application on behalf of the non-signing joint inventor David Goldman, who cannot be located to join in the application.

This petition is accompanied by proof of the pertinent facts and the last known address of the non-signing inventor as set forth in the accompanying statement of facts in support of filing on behalf of the non-signing inventor.

A copy of the application and the Inventor's Declaration was sent to Mr. Goldman on March 19, 2008, with a request for his signature via Federal Express. The Federal Express package was returned to our office, with an indication that the recipient had moved. The application and Declaration were sent again to Mr. Goldman on May 9, 2008 via Express Mail, which was also returned to our office on May 27, 2008. Despite repeated attempts to contact him via U.S. mail, researching phone records in his last city of residence (Las Vegas, NV) and contacting the assignee, PDF Solutions, to date, Mr. Goldman has not been located.

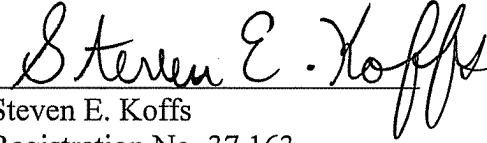
Enclosed herewith are:

1. A statement by Steven Koffs, Esq. proving the pertinent facts; and
2. A declaration signed by Christopher Hess who has joined the application on behalf of the inventor who refuses to join the application.

☒ The Commissioner is hereby authorized to charge the \$200 fee set forth in 37 CFR § 1.17(g) to Deposit Account No. 04-1679.

[x] The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679.

Respectfully submitted,



Steven E. Koffs
Registration No. 37,163
Attorney for Applicant(s)

DATE: June 30, 2008

DUANE MORRIS LLP
30 S 17th Street
Philadelphia, PA 19103
Telephone: 215-979-1250
Fax: 215-979-1020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/595,384

Confirmation No.: 8498

In re application of: Hess et al.

National Stage Commenced: April 13, 2006

Technology Center/Art Unit: UNK

Examiner: UNK

Docket No.: D5116-00051

Customer No.: **08933**

Title: METHOD AND CONFIGURATION
FOR CONNECTING TEST STRUCTURES
OR LINE ARRAYS FOR MONITORING
INTEGRATED CIRCUIT
MANUFACTURING

I CERTIFY THAT THIS CORRESPONDENCE IS BEING TRANSMITTED
VIA ELECTRONICALLY TO THE UNITED STATES PATENT AND
TRADEMARK OFFICE, ON
JUNE 30, 2008


SIGNATURE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT OF STEVEN E. KOFFS

Sir:

I Steven E. Koffs, certify the following:

1. I am an attorney of record in this patent application.
2. The application was filed without a signed Declaration of Inventorship by the inventors.
3. This application is assigned to PDF Solutions, Inc. of San Jose, CA (hereinafter, "PDF Solutions"). At the International Filing Date of this application, both inventors of this application were employed by PDF Solutions.
4. Subsequent to the International Filing Date, inventor David Goldman left the employ of PDF Solutions.

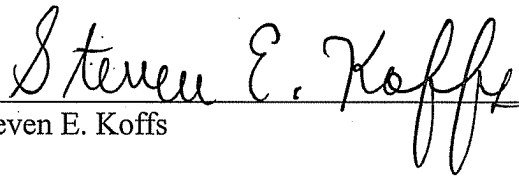
5. About the time of National Stage Commencement of the present application (April 2006), William Yee, Esq. was employed at PDF Solutions as Corporate IP Counsel. Mr. Yee told me on June 12, 2006 that he had sent to Mr. Goldman a copy of an Inventor's Declaration and an Assignment conveying rights in the invention to PDF Solutions. Mr. Yee told me that Mr. Goldman had signed and returned the Assignment document to PDF Solutions, but Mr. Goldman did not provide a signed copy of the Inventor's Declaration to Mr. Yee. At this time, I believe that Mr. Goldman resided at 1290 S. Monte Cristo Way, Las Vegas, NV 89117-1411. A copy of Mr. Yee's email correspondence and the Assignment executed by Mr. Goldman is attached as exhibit A.
6. Subsequently, Mr. Yee left the employ of PDF Solutions.
7. Our office received a Notice of Missing Requirements mailed January 28, 2008 from the DO/EO/US.
8. Our office attempted to deliver a copy of the application to Mr. Goldman at the last known address, 1290 S. Monte Cristo Way, Las Vegas, NV 89117-1411. We sent a package containing a copy of the application, including specification, claims and drawings and an Inventor's Declaration for signature. A copy of the letter accompanying the application and Declaration is attached as exhibit B.
9. The package we sent by FedEx to Mr. Goldman at the above address on March 19, 2008 was returned to our office. A copy of the tracking receipt is attached as Exhibit C, indicating that the addressee had moved.
10. We then resent the package by U.S. Express Mail on May 9, 2008, with the hope that the postal service could deliver the package to a forwarding address. The postal service returned the package to our office on May 27, 2008, indicating that Mr. Goldman no longer lives at that address. A copy of the tracking slip is attached as exhibit D.
11. We inquired with PDF Solutions' corporate counsel, Rochelle Woodward, Esq. Ms. Woodward informed us that she had asked the human relations department at PDF Solutions and co-inventor Christopher Hess whether they had any knowledge of the current whereabouts of Mr. Goldman. Ms. Woodward said that she is not aware of any PDF Solutions employee in contact with Mr. Goldman, or who has knowledge of Mr. Goldman's current address.
12. My assistant attempted to find Mr. Goldman using www.anywho.com. The search did not find any David Goldman in Las Vegas, NV. A copy of the search screen is attached as Exhibit E.

I hereby declare that all statements herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like so made are

punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements made jeopardize the validity of the application or any patent issued thereof.

Respectfully submitted,

Dated: June 30, 2008



Steven E. Koffs

Exhibit “A”

Koffs, Steven E.

From: William Yee [william.yee@pdf.com]
Sent: Monday, June 12, 2006 9:44 PM
To: Koffs, Steven E.
Subject: PDFS0038.PCT.US/D5116-00051
Attachments: Assignment David Goldman p1.jpg; Assignment David Goldman p2.jpg

Hi Steve,

David Goldman has signed the Assignment, but has not returned the Declaration and Power of Attorney. I have sent them another letter in May to sign and return the DPA.

Bill



William Yee

Corporate Patent Counsel

PDF Solutions, Inc.

333 W. San Carlos Street, Suite 700
San Jose, CA 95110

Tel: (408) 938-4439

Fax: (408) 938-4435

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6/27/2008

ASSIGNMENT

We, **Christopher Hess**, of 320 Overlook Drive, San Ramon, CA 94583 and **David Goldman** of 1290 S. Monte Cristo Way, Las Vegas, NV 89117-1411 US; hereby declare that we are joint inventors of the invention entitled "**METHOD AND CONFIGURATION FOR CONNECTING TEST STRUCTURES OR LINE ARRAYS FOR MONITORING INTEGRATED CIRCUIT MANUFACTURING**" described in an International Application No. PCT/US2004/013483, filed on April 30, 2004, and also in a Provisional Patent Application Serial No. 60/511,535, filed on October 15, 2003, and which they on the date indicated below next to their signatures executed an application for Letters Patent of the United States;

For valuable consideration received, we hereby sell, assign, and transfer to **PDF Solutions, Inc.**, a California corporation, with its principal place of business located at 333 West San Carlos Street, Suite 700, San Jose, CA 95110, duly organized and existing under the laws of the United States of America, its successors, and assigns, our entire right, title, and interest, for all countries in and to said inventions, and patent applications, and all the rights and privileges under any and all applications and Letters Patents that may be granted therefor, and any divisions, continuations-in-part, reexaminations, continuations, reissues, and extensions thereof, and any application claiming priority therefrom. This assignment shall be effective as of October 12, 2003, for all purposes.

We agree that, when requested, we will, without charge to said Corporation but at its expense, sign all papers, take all rightful oaths, make all rightful declarations, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents or other forms of protection for said inventions in any and all countries, and for vesting title thereto in said Corporation, its successors, assigns or nominees.

We agree that we will communicate to said Corporation or its representatives any facts known to us respecting said inventions and, when requested by said Corporation and at its expense, will testify in any legal proceedings, and generally do everything possible to aid said Corporation, its successors, assigns, and legal representatives or nominees, to obtain or enforce proper protection for said inventions in any and all countries.

We authorize and empower said Corporation, its successors, assigns or nominees, to make application for patent or other form of protection for said inventions in its or their own name, or in our names, in any and all countries, and to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right or priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from us.

We hereby consent that a copy of this Assignment shall be deemed a full, legal, and formal equivalent of any Assignment, consent to file or like document, which may be required in


any country for any purpose, and more particularly, in proof of the right of the said Corporation or its successors, assigns or nominees to apply for patent or other proper protection for said inventions, and to claim the aforesaid benefits of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said corporation, its successors, assigns, legal representatives, and nominees, that to the best of my knowledge the right, title, and interest herein conveyed by us, are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

AND ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue to said ASSIGNEE, the entire right, title and interest, in and to any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

IN WITNESS WHEREOF, ASSIGNORS hereunto sets their hand and seal, intending to be legally bound.

Date:

3/27/06

Christopher Hess

Date: _____

David Goldman

inventions, and to claim the aforesaid benefits of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

We covenant with said corporation, its successors, assigns, legal representatives, and nominees, that to the best of my knowledge the right, title, and interest herein conveyed by us, are free and clear of any encumbrance, and that we have full right to convey the same as herein expressed.

AND ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue to said ASSIGNEE, the entire right, title and interest, in and to any and all Letters Patent for said inventions or improvements, including any and all Letters Patent of the United States which may be issued and granted on or as a result of the application aforesaid, in accordance with the terms of this assignment.

IN WITNESS WHEREOF, ASSIGNORS hereunto sets their hand and seal, intending to be legally bound.

Date: _____

Christopher Hess

Date: May 26, 2006

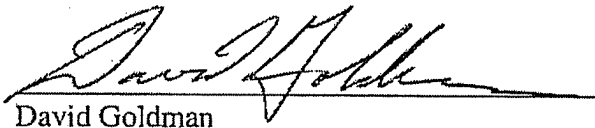

David Goldman

Exhibit “B”

STEVEN E. KOFFS
DIRECT DIAL: 215.979.1250
E-MAIL: SEKoffs@duanemorris.com

www.duanemorris.com

March 19, 2008

VIA FEDEX

David Goldman
1290 S. Monte Cristo Way
Las Vegas, NV 89117-1411

NEW YORK
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NEWARK
WILMINGTON
PRINCETON
LAKE TAHOE
HO CHI MINH CITY

Re: PDF Solutions Patent Application Declaration
For: US Patent Application No. 10/595,384
Based on PCT Application PCT/US2004/013483

Dear Mr. Goldman:

We recently received a Notification of Missing Requirements for the enclosed patent application filed in 2006. PDF Solutions, Inc.'s former counsel, Bill Yee, was in correspondence with you about execution of the formal documents, the Assignment and Declaration. We received a scanned copy of the Assignment document you executed on May 26, 2006, but have not received the executed Declaration.

Enclosed please find a copy of the Declaration for your signature. Please sign, date it, and return it to us via facsimile (215) 979-1020, email (sekoffs@duanemorris.com) or mail. Please return it **as soon as possible**, but no later than **28 March 2008**.

If you have any questions or concerns regarding this matter, please do not hesitate to contact us.

Sincerely,


Steven E. Koffs

SEK/amo
Enclosure

Exhibit “C”



<i>package id</i>	<i>from</i>	<i>vendor</i>
0055110	Steven Koffs (1442)	FedEx
<i>ship date</i>	Duane Morris LLP	<i>tracking number</i>
Wed, Mar 19	30 South 17th Street	798400417234
<i>to</i>	Philadelphia , PA 19103	<i>service</i>
David Goldman	US	FedEx Standard Overnight
1290 S Monte Cristo Way	215.979.1250	<i>packaging</i>
Las Vegas , NV 89117-	<i>billing</i>	FedEx Envelope
1411 US	PDF SOLUTIONS, INC.-US	<i>signature</i>
215-979-1847	NAT'L PHASE OF PCT	Direct signature - at
<i>residential address</i>	(D5116-00051)	address
No	<i>operator</i>	
<i>return label</i>	Steven Koffs	<i>courtesy quote</i>
No	215-979-1250	13.20
	amorson@duanemorris.com	<i>The courtesy quote does not</i>
<i>notification type</i>	<i>create time</i>	<i>reflect fuel surcharge and does</i>
Delivery	03/19/08, 4:34PM	<i>not necessarily reflect all</i>
<i>notification recipients</i>		<i>accessorial charges.</i>
amorson@duanemorris.com		

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Signed for by	M.R GOLDSMITH	Destination	NORTH LAS VEGAS, NV
Ship date	Mar 19, 2008	Delivered to	FedEx Location
Delivery date	Mar 31, 2008 6:45 PM	Service type	Standard Envelope - Direct Signature Required
		Weight	1.0 lbs.

Status	Delivered
Signature image available	Yes

Date/Time	Activity	Location	Details
Mar 31, 2008	6:45 PM Delivered	NORTH LAS VEGAS, NV	
	8:38 AM At local FedEx facility	NORTH LAS VEGAS, NV	
	8:23 AM Delivery exception	NORTH LAS VEGAS, NV	Incorrect address
Mar 29, 2008	3:05 PM At local FedEx facility	NORTH LAS VEGAS, NV	
Mar 28, 2008	5:22 PM At local FedEx facility	NORTH LAS VEGAS, NV	
	12:25 PM Delivery exception	NORTH LAS VEGAS, NV	Incorrect address - Recipient moved
	8:27 AM On FedEx vehicle for delivery	NORTH LAS VEGAS, NV	
Mar 27, 2008	5:08 PM At local FedEx facility	NORTH LAS VEGAS, NV	
	1:57 PM Delivery exception	NORTH LAS VEGAS, NV	Customer not available or business closed - Signature required
	8:13 AM On FedEx vehicle for delivery	NORTH LAS VEGAS, NV	
Mar 26, 2008	5:17 PM At local FedEx facility	NORTH LAS VEGAS, NV	
	3:18 PM Delivery exception	NORTH LAS VEGAS, NV	Customer not available or business closed - Signature required
	8:38 AM On FedEx vehicle for delivery	NORTH LAS VEGAS, NV	
Mar 25, 2008	2:48 PM At local FedEx facility	NORTH LAS VEGAS, NV	
Mar 24, 2008	8:12 AM At local FedEx facility	NORTH LAS VEGAS, NV	
Mar 21, 2008	9:31 AM At local FedEx facility	NORTH LAS VEGAS, NV	
	9:28 AM Delivery exception	NORTH LAS VEGAS, NV	Incorrect address
Mar 20, 2008	4:48 PM At local FedEx facility	NORTH LAS VEGAS, NV	
	11:34 AM Delivery exception	NORTH LAS VEGAS, NV	Incorrect address
	8:13 AM On FedEx vehicle for delivery	NORTH LAS VEGAS, NV	
	7:38 AM At local FedEx facility	NORTH LAS VEGAS, NV	
	5:44 AM At dest sort facility	LAS VEGAS, NV	
	5:09 AM Departed FedEx location	MEMPHIS, TN	
	12:31 AM Arrived at FedEx location	MEMPHIS, TN	
Mar 19, 2008	8:49 PM Left origin	PHILADELPHIA, PA	
	7:01 PM Picked up	PHILADELPHIA, PA	
	3:34 PM Package data transmitted to FedEx		

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<input type="text"/>	English	<input type="checkbox"/>	<input type="checkbox"/>
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AM <input type="checkbox"/> PM <input type="checkbox"/>	Int'l Alpha Country Code
Weight	Return Receipt Fee
lbs. ozs.	COD Fee
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	Total Postage & Fees \$

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David M. Kuper LLC
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Philadelphia, PA 19103
DS116-51

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PHONE ()

Dr. David L. Kuper
1200 S. Home Circle Unit 140
Las Vegas, NV 89117-1411

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9	7	7	7	7	7	7	7	7	7
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- Arrival at Pick-Up-Point, May 24, 2008, 11:54 am, PHILADELPHIA, PA 19103
- Processed, May 23, 2008, 8:27 pm, LAS VEGAS, NV 89119
- Unclaimed, May 23, 2008, 1:12 pm, LAS VEGAS, NV
- Notice Left, May 12, 2008, 1:36 pm, LAS VEGAS, NV 89117
- Notice Left, May 10, 2008, 2:48 pm, LAS VEGAS, NV 89117
- Arrival at Unit, May 10, 2008, 2:17 pm, LAS VEGAS, NV 89117
- Processed, May 10, 2008, 11:46 am, LAS VEGAS, NV 89199
- Processed, May 09, 2008, 11:36 pm, PHILADELPHIA, PA 19153
- Acceptance, May 09, 2008, 8:26 pm, PHILADELPHIA, PA 19104

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Exhibit “E”

